

Exhibit B
Proposed SVF

JANUARY 29, 2018 [Waymo Proposed Version].

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

WAYMO LLC,

No. C 17-00939 WHA

Plaintiff,

v.

UBER TECHNOLOGIES, INC.,
and OTTOMOTTO LLC,

**SPECIAL VERDICT FORM
[PROPOSED]**

Defendants.

_____ /

In answering this special verdict form, please refer to the Claimed Trade Secrets as defined and numbered in Trial Exhibit _____. Your answers must be unanimous.

1. Separately as to each Claimed Trade Secret, state whether or not Waymo has proven that the following Claimed Trade Secret is an enforceable trade secret. Answer “Yes” or “No.” In any answer, you must follow the instructions of law.

ENFORCEABLE TRADE
SECRET?

CLAIMED TRADE SECRET NO. 2

CLAIMED TRADE SECRET NO. 7

CLAIMED TRADE SECRET NO. 9

CLAIMED TRADE SECRET NO. 13

CLAIMED TRADE SECRET NO. 14

CLAIMED TRADE SECRET NO. 25

CLAIMED TRADE SECRET NO. 90

CLAIMED TRADE SECRET NO. 111

If you have answered “No” for all eight Claimed Trade Secrets, then you are done — go to the end of the form and sign and date it. Otherwise, meaning you have answered “Yes” for at least one Claimed Trade Secret, continue to the next two questions.

2. Separately as to each Claimed Trade Secret, state whether or not Waymo has proven that Uber improperly acquired the Claimed Trade Secret in question. Answer “Yes” or “No.” In any answer, you must follow the instructions of law.

IMPROPERLY ACQUIRED?

CLAIMED TRADE SECRET NO. 2

CLAIMED TRADE SECRET NO. 7

CLAIMED TRADE SECRET NO. 9

CLAIMED TRADE SECRET NO. 13

CLAIMED TRADE SECRET NO. 14

CLAIMED TRADE SECRET NO. 25

CLAIMED TRADE SECRET NO. 90

CLAIMED TRADE SECRET NO. 111

Continue to the next question.

3. Separately as to each Claimed Trade Secret, state whether or not Waymo has proven that Uber used or disclosed the Claimed Trade Secret in question. Answer “Yes” or “No.”

	USED OR DISCLOSED?
CLAIMED TRADE SECRET NO. 2	_____
CLAIMED TRADE SECRET NO. 7	_____
CLAIMED TRADE SECRET NO. 9	_____
CLAIMED TRADE SECRET NO. 13	_____
CLAIMED TRADE SECRET NO. 14	_____
CLAIMED TRADE SECRET NO. 25	_____
CLAIMED TRADE SECRET NO. 90	_____
CLAIMED TRADE SECRET NO. 111	_____

If you have answered “No” for all eight Claimed Trade Secrets, then skip ahead to Question No. 7. Otherwise, meaning you have answered “Yes” in Question No. 3 for at least one Claimed Trade Secret, continue to the next three questions.

4. Only with respect to any Claimed Trade Secret for which you answered “Yes” in the previous question, state whether or not Waymo has proven that Uber was unjustly enriched and that such use or disclosure was a substantial factor in bringing about such unjust enrichment. If you answer “Yes,” then further state the dollar amount by which Waymo has proven that Uber was unjustly enriched (or, if such amount is not calculable, then enter “Zero” in the dollar amount column). If you answer “No,” then leave the dollar amount column blank:

	UNJUST ENRICHMENT/ SUBSTANTIAL FACTOR?	DOLLAR AMOUNT
CLAIMED TRADE SECRET NO. 2	_____	_____
CLAIMED TRADE SECRET NO. 7	_____	_____
CLAIMED TRADE SECRET NO. 9	_____	_____
CLAIMED TRADE SECRET NO. 13	_____	_____
CLAIMED TRADE SECRET NO. 14	_____	_____
CLAIMED TRADE SECRET NO. 25	_____	_____
CLAIMED TRADE SECRET NO. 90	_____	_____
CLAIMED TRADE SECRET NO. 111	_____	_____

5. If you entered dollar amounts greater than zero in two or more blanks in the preceding question, then, in order to eliminate any possibility of double or multiple counting, state the grand total of all such unjust enrichment to Uber without any double or multiple countings:

\$ _____

6. Has Waymo proven that Uber acted willfully and maliciously with respect to any misappropriation found by you? If “Yes,” state the dollar amount of any exemplary damages you award.

YES	NO	AMOUNT
_____	_____	\$ _____
*	*	*

The next group of questions concerns Ottomotto LLC and parallels the questions above.

7. Separately as to each Claimed Trade Secret, state whether or not Waymo has proven that Ottomotto improperly acquired the Claimed Trade Secret in question. Answer “Yes” or “No.”

	IMPROPERLY ACQUIRED?
CLAIMED TRADE SECRET NO. 2	_____
CLAIMED TRADE SECRET NO. 7	_____
CLAIMED TRADE SECRET NO. 9	_____
CLAIMED TRADE SECRET NO. 13	_____
CLAIMED TRADE SECRET NO. 14	_____
CLAIMED TRADE SECRET NO. 25	_____
CLAIMED TRADE SECRET NO. 90	_____
CLAIMED TRADE SECRET NO. 111	_____

Continue to the next question.

8. Separately as to each Claimed Trade Secret, state whether or not Waymo has proven that Ottomotto used or disclosed the Claimed Trade Secret in question. Answer “Yes” or “No.”

	USED OR DISCLOSED?
CLAIMED TRADE SECRET NO. 2	_____
CLAIMED TRADE SECRET NO. 7	_____
CLAIMED TRADE SECRET NO. 9	_____
CLAIMED TRADE SECRET NO. 13	_____
CLAIMED TRADE SECRET NO. 14	_____
CLAIMED TRADE SECRET NO. 25	_____
CLAIMED TRADE SECRET NO. 90	_____
CLAIMED TRADE SECRET NO. 111	_____

If you have answered “No” for all eight Claimed Trade Secrets in the previous question, then you are done — go to the end of the form and sign and date it. Otherwise, meaning you have answered “Yes” for at least one Claimed Trade Secret, continue to the next three questions.

9. Only with respect to any Claimed Trade Secret for which you answered “Yes” in the previous question, state whether or not Waymo has proven that Ottomotto was unjustly enriched and that such use or disclosure was a substantial factor in bringing about such unjust enrichment. If you answer “Yes,” then further state the dollar amount by which Waymo has proven that Ottomotto was unjustly enriched (or, if such amount is not calculable, then enter “Zero” in the dollar amount column). If you answer “No,” then leave the dollar amount column blank:

	UNJUST ENRICHMENT/ SUBSTANTIAL FACTOR?	DOLLAR AMOUNT
CLAIMED TRADE SECRET NO. 2	_____	_____
CLAIMED TRADE SECRET NO. 7	_____	_____
CLAIMED TRADE SECRET NO. 9	_____	_____
CLAIMED TRADE SECRET NO. 13	_____	_____
CLAIMED TRADE SECRET NO. 14	_____	_____
CLAIMED TRADE SECRET NO. 25	_____	_____
CLAIMED TRADE SECRET NO. 90	_____	_____
CLAIMED TRADE SECRET NO. 111	_____	_____

10. If you entered a dollar amount greater than zero in two or more blanks in the preceding question, then, in order to eliminate any possibility of double or multiple counting, state the grand total of all such unjust enrichment to Ottomotto without any double or multiple countings:

\$ _____

11. Has Waymo proven that Ottomotto acted willfully and maliciously with respect to any misappropriation found by you? If “Yes,” state the dollar amount of any exemplary damages you award.

YES	NO	AMOUNT
_____	_____	\$ _____
*	*	*

Your answer to all of the foregoing questions must be unanimous.

Dated: February ___, 2018.

FOREPERSON